

## Health Insurance Portability and Accountability Act ("HIPAA") Privacy Policy

*John Chappuis, Deputy Director*

Date February 27, 2003

Revised Date:

<b>Policy Title:</b>	Privacy of Protected Health Information		
<b>Policy Number:</b>	001	<b>Version:</b>	1.0
<b>Approved By:</b>	John Chappuis		
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### Purpose:

This policy addresses the use and disclosure of Protected Health Information (as hereinafter defined in Section 2, "PHI") in order to provide necessary services and benefits to clients while maintaining reasonable safeguards to protect their PHI.

### Policy:

#### 1. **General – DPHHS will safeguard the clients' Protected Health Information.**

- a. DPHHS may collect, maintain, use, transmit, share and/or disclose PHI to the extent needed to administer DPHHS programs, services and activities;
- b. DPHHS will safeguard all client PHI, inform clients concerning DPHHS privacy practices and respect client privacy rights to the full extent required under this policy; and
- c. DPHHS shall provide training to all employees on DPHHS privacy policies and shall require every employee to sign an "Employee Confidentiality Statement" outlining their role and responsibilities relating to protecting the privacy of DPHHS clients.

#### 2. **Definitions:** For the purposes of this policy, the following definitions apply:

- a. **Protected Health Information (PHI)** - means Individually Identifiable Health Information that is transmitted electronically in any medium or maintained in any medium. PHI does not include educational records covered by the Family Educational Right and Privacy Act, 20 USC 1232, the student records held in post-secondary institutions or the records of students 18 years of age or older. PHI also does not include employment records held by a DPHHS in its role as employer.

- b. **Individually Identifiable Health Information (IIHI)** - is a subset of Health Information (HI) including demographic information, collected from an individual that is created or received by a health care provider, health plan, employer, or health care clearinghouse that:
  - i. Relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual;
  - ii. Relates to the past present, or future payment for the provision of health care to an individual;
  - iii. Identifies the individual; or
  - iv. There is a reasonable basis to believe the information can be used to identify the individual.
  
- c. **Health Information** - any information, whether oral or recorded in any form or medium, that is created by a health care provider, health plan, public health authority, employer, life insurer, school or university, or health care clearinghouse that:
  - i. Relates to the past, present, or future physical or mental health or condition of health care to an individual; or
  - ii. Relates to the past, present, or future payment for the provision of health care to an individual.